

FORM SUMMARY

Name of Form: Dispositional Order--Protection or Services (Chapter 938)

Form Number: JD-1746

Statutory Reference: §§938.34, 938.345, 938.355, 938.396(7)(a), Wis. Stats.

Benchbook Reference: JV 8

Purpose of Form: Formal order of the court detailing the disposition in a ch. 938 juvenile in need of protection or services (JIPS) case (this does not apply to a chapter 48 *child* in need of protection or services).

Who Completes It: District attorney/corporation counsel.

Distribution of Form: Original to court, copies to juvenile, parents/guardian/legal custodian/trustee, juvenile's attorney, district attorney/corporation counsel, social worker, and other interested parties.

Accompanying Forms: If out of home placement is ordered, form JD-1753, Notice Concerning Grounds to Terminate Parental Rights, must be attached.

New Form/Modification: Modification; last update 09/02.

Modifications: In #2 of order section, added option to indicate expiration date of order. In #3 of order section, added word "out" so line reads "this is an out of home placement." In #6 of order section, added options for transferring legal custody to either County Department of Human/Social Service, Wisconsin Department of Health and Family Services, or other, if custody is transferred to a relative.

Comments: RMC recommends that the court not rely upon attachments alone as the basis for its findings. Where attachments are used, specific reference to the document title, page and paragraph should be made.

RMC has concerns that out of home placements ordered to be effective in the future may violate ASFA rules. One suggested procedure in these cases is to first enter a dispositional order placing the child at home, then revise the dispositional order pursuant to §48.363 upon the actual removal from the home. Another option is to adjourn the dispositional hearing until the actual removal date.

About this form: This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office and a mandate of the Wisconsin Judicial Conference.

If you have additional information that does not change the meaning of the form, attach it on a separate page. The form itself shall not be altered.